

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRIS EPPERSON,

Plaintiff,

v.

UNITED STATES CONGRESS, THE
REPUBLICAN PARTY, HOUSE OF
REPRESENTATIVES, BILL CLINTON,
BARACK OBAMA, DONALD TRUMP,
and GEORGE BUSH,

Defendants.

Case No. 1:23-cv-01687-KES-SKO

Appeal No. 24-06252

ORDER REVOKING IN FORMA PAUPERIS
STATUS ON APPEAL AND DIRECTING
THE CLERK TO SERVE A COPY OF THIS
ORDER ON THE UNITED STATES COURT
OF APPEALS FOR THE NINTH CIRCUIT

(Doc. 54)

Plaintiff Chris Epperson proceeded pro se and in forma pauperis in this action. On April 3, 2024, the assigned magistrate judge issued findings and recommendations that recommended dismissal of this action with prejudice for failure to state a cognizable claim upon which relief may be granted. Doc. 17. On April 8, 2024, plaintiff filed a two sentence objection stating, without any specifics, that he objected to the findings and recommendations and intended to appeal. Doc. 20. On September 30, 2024, the Court adopted the findings and recommendations and dismissed the action with prejudice for failure to state a cognizable claim. Doc. 49.

On October 9, 2024, plaintiff appealed. Doc. 51. On October 16, 2024, the Ninth Circuit Court of Appeals referred the matter back to this Court for the limited purpose of determining

whether in forma pauperis status should continue for the appeal or whether the appeal is frivolous or taken in bad faith. Doc. 54; *see* 28 U.S.C. § 1915(a)(3); *see also* *Hooker v. Am. Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) (revocation of in forma pauperis status appropriate where district court finds appeal to be frivolous).

Plaintiff's first amended complaint ("FAC") fails to state any cognizable claim and is unintelligible, even after plaintiff was given leave to amend his initial complaint. Doc. 11.

Plaintiff's statement of claim section states:

September 24, 1980 gun powder-plot of the Constitution laws had been violated by the actions of the State Legislature in 1961.
November 30, 1963 Executive Order 11130 assa[s]ination plotted [sic] character for figure of speech John F. Kennedy.

Doc. 11 at 5. The FAC lists as defendants several former presidents and Vladimir Putin, it has no clearly discernible factual allegations, and it does not explain how any defendant's action violated plaintiff's rights. Doc. 11. Therefore, the Court finds that plaintiff's appeal is frivolous.

Accordingly, the Court **ORDERS**:

1. The appeal is **DECLARED FRIVOLOUS**.
2. Pursuant to 28 U.S.C. § 1915(a)(3), plaintiff is not entitled to proceed in forma pauperis in Appeal No. **24-06252**.
3. Pursuant to Federal Rule of Appellate Procedure 24(a)(4), this order serves as notice to the parties and the United States Court of Appeals for the Ninth Circuit of the finding that plaintiff is not entitled to proceed in forma pauperis for this appeal.
4. The Clerk of Court is directed to serve a copy of this order on the parties and the United States Court of Appeals for the Ninth Circuit.

IT IS SO ORDERED.

Dated: October 22, 2024


UNITED STATES DISTRICT JUDGE